

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF NORTH CAROLINA
CHARLOTTE DIVISION
CIVIL NO. 3:04-cv-00307-W**

SWISHER INTERNATIONAL, INC.,)
)
 Petitioner,)
)
 vs.)
)
 PROMOTORA DE SISTEMAS DE)
 GIGIENE, ,)
)
 Respondent.)
)
 _____)


ORDER

THIS MATTER is before the Court on Petitioner's Response to the Court's Show Cause Order (Doc. No. 22), filed on October 26, 2006. It appearing to the Court that Plaintiff has been unable to serve the Summons and Complaint on Defendant and that Plaintiff now requests dismissal of this matter without prejudice.

IT IS, THEREFORE, ORDERED that this matter is DISMISSED without prejudice. The Clerk is directed to close the case.

IT IS SO ORDERED.

Signed: November 6, 2006



Frank D. Whitney
United States District Judge

